

AO 91 (REV.5/85) Criminal Complaint

AUSA Maureen Merin (312) 353-1457

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

KC FILED
12-20-07
DEC 20 2007

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

JUAN SALAZAR-SOTO

also known as "Tomas Villalobos-Gonzalez";
and "Martin Perez-Garcia"

CASE NUMBER:


07CR 0854

MAGISTRATE JUDGE SCHENKIER

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief. On or about September 21, 2007, at Chicago, Illinois, in the Northern District of Illinois, Eastern Division, JUAN SALAZAR-SOTO, also known as "Tomas Villalobos-Gonzalez" and "Martin Perez-Garcia", defendant herein,

being an alien, who previously had been deported and removed from the United States on or about May 27, 2006, March 26, 1992, May 10, 1991, February 7, 1985, and August 15, 1984, was found in the United States without previously having obtained the express consent of the Secretary of the Department of Homeland Security, for reapplication by defendant for admission into the United States;

in violation of Title 8, United States Code, Sections 1326(a) and (b)(2); and Title 6, United States Code, Section 202(4). I further state that I am a Deportation Officer with the Bureau of Immigration and Customs Enforcement ("ICE") and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.



Signature of Complainant
FRANCISCO TREVINO
Deportation Officer
U.S. Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence,

December 20, 2007

Date

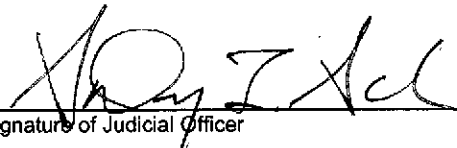
at

Chicago, Illinois

City and State

SIDNEY I. SCHENKIER, U.S. Magistrate Judge

Name & Title of Judicial Officer



Signature of Judicial Officer

UNITED STATES DISTRICT COURT)
) ss
NORTHERN DISTRICT OF ILLINOIS)

AFFIDAVIT

I, FRANCISCO TREVINO, being duly sworn, state as follows:

1. I am a Deportation Officer with the United States Bureau of Immigration and Customs Enforcement ("ICE"), and have been so employed by ICE and its predecessor agency the Immigration and Naturalization Service ("INS") for 6 years. I am a deportation officer in the Chicago office of ICE and my duties include enforcing the immigration laws of the United States as part of the Criminal Alien Program. I work in conjunction with other law enforcement agencies in reviewing cases involving aliens who are charged with or convicted of criminal offenses. I have received training concerning immigration-related laws, policies, and procedures, including those related to the reentry of previously deported aliens.

2. This affidavit is submitted in support of a criminal complaint alleging that Juan Salazar-Soto, also known as Tomas Villalobos-Gonzalez and Martin Perez-Garcia, (hereinafter "SALAZAR-SOTO") has violated 8 U.S.C. § 1326(a), Reentry of Removed Alien, by being present and found in the United States after having been deported, and is subject to the enhanced penalty provision set forth in 8 U.S.C. § 1326(b)(2) because he previously was deported following conviction for an aggravated felony. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging SALAZAR-SOTO with illegal reentry, I have not included

each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that SALAZAR-SOTO committed the offense stated in the complaint.

3. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents and officers and by other persons identified in this affidavit, and my review of records maintained by ICE, other components of the Department of Homeland Security (DHS), and other government agencies.

4. According to ICE records, SALAZAR-SOTO is a native and citizen of Mexico and has no claim to United States citizenship or lawful residence. ICE records reflect that SALAZAR-SOTO was born in Mexico on December 23, 1963 and originally entered the United States some time prior to August 15, 1984.

5. Records maintained by the District Court of Pueblo County, Colorado, Tenth Judicial District, reflect that on or about March 3, 1989, SALAZAR-SOTO was convicted of theft by receiving, an aggravated felony as defined in 8 U.S.C. § 1101(a)(43), and sentenced to 5 years and six months imprisonment.

6. DHS records indicate that on or about May 27, 2006, SALAZAR-SOTO was removed from the United States to Mexico at Hidalgo, Texas Port of Entry.

7. DHS records further indicate that SALAZAR-SOTO also was deported from the United States to Mexico on or about March 26, 1992 and May 10, 1991.

These records also show that SALAZAR-SOTO had been previously deported to Mexico on February 7, 1985, under the name "Tomas Villalobos-Gonzalez," and August 15, 1984, under the name "Martin Perez-Garcia."

8. I have reviewed the administrative file (A-File) pertaining to SALAZAR-SOTO and the Citizenship and Immigration Service application database. These files contain no record of an application for or permission to reenter the United States associated to SALAZAR-SOTO.


9. On or about September 21, 2007, officers at Cook County Jail, Chicago, Illinois, notified ICE of SALAZAR-SOTO's presence at the jail. Defendant is currently incarcerated in an Illinois Department of Corrections (IDOC) facility in Lockport, Illinois under the name of "Tomas Villalobos."

10. A fingerprint comparison conducted by the Federal Bureau of Investigation ("FBI") in Clarksburg, West Virginia, and based upon IDOC fingerprint cards and fingerprints taken as part of the deportation proceedings on May 27, 2006, March 26, 1992, May 10, 1991, February 7, 1985, and August 15, 1984, has verified that SALAZAR-SOTO is the same person who is currently incarcerated in the Lockport, Illinois IDOC facility and who was deported to Mexico on May 27, 2006, March 26, 1992, May 10, 1991, February 7, 1985, and August 15, 1984.

11. I submit there is probable cause to believe that SALAZAR-SOTO committed a violation of Title 8 United States Code, § 1326(a) & (b)(2) and Title 6, United

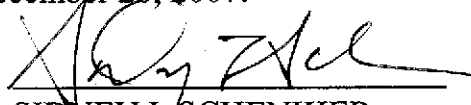
States Code, § 202(4), in that he was found in the United States without permission, after being deported subsequent to a conviction for an aggravated felony as defined by 8 U.S.C. § 1101(a)(43).

FURTHER AFFIANT SAYETH NOT.



FRANCISCO TREVINO
Deportation Officer, Bureau of
Immigration and Customs
Enforcement

SUBSCRIBED AND SWORN to before me on December 20, 2007.



SIDNEY I. SCHENKIER
United States Magistrate Judge